



2FW

PATENT

SEP. 11 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/733,548  
Applicant : Hans Kappelhoff  
Filed : 11 December 2003  
Docket (atty ref.) No. : 09209-US  
Title : GATHERING AND PICKING DEVICE  
Moline, IL 61265  
6 September 2006

Commissioner for Patents  
P. O. Box 1450  
Alexandria VA 22313-1450

Letter to the Examiner

Sir:

The above-identified application has now been withdrawn from abandonment by a Decision of the Board of Patent Appeals and Interferences.

Prosecution can now recommence.

The "Office Action" that was mailed in February, 2006 was an invalid action, since the application was legally abandoned at that time.

For that reason we have not responded *and shall not respond* to the February, 2006 Office Action.

Nor shall our failure to respond within six months of the February, 2006 Office Action be deemed an abandonment, since the Application was already abandoned and being appealed at the time the Office Action was issued.

Now that the application has been revived, we invite the Examiner to issue a new Office Action.

*Application No.*  
*Amendment Dated 9/6/2006*

Any fees or charges due as a result of filing of the present paper may be charged against Deposit Account 04-0525. Two duplicates of this page are enclosed.

Respectfully,

  
Stephen M. Walton  
Attorney for Applicant(s)

Attorney for Applicant(s)

Stephen M. Patton  
Reg. No. 36,235  
Patent Department  
Deere & Company  
One John Deere Place  
Moline, IL 61265  
Telephone No. (309) 765-5543

hereby certify that this correspondence is being deposited with the  
United States Postal Service as first class mail in an envelope addressed to:  
Commissioner for Patents  
P.O. Box 150  
Washington, D.C. 20591-0150

Alexandria, VA 22314-1600  
on: 10 September 2006 Date  
Degree & Company  
Anne Clark b/S

Deere & Company

Signature \_\_\_\_\_ Date \_\_\_\_\_